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APPLICATION NUMBER 08/000,002	FILING DATE 09/26/97	FIRST NAMED APPLICANT UDENFELDT	ATTORNEY DOCKET NO. J 027556-431
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EXAMINER URBAN, E
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ART UNIT 2746	PAPER NUMBER 17
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DATE MAILED: 10/14/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendment received 9/30/98

☒ The allowed claim(s) is/are 1-21 and 27-29

☒ The drawings filed on 9/24/97 are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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1. Claims numbered 29-33 received 6/8/98 have been renumbered to 22-26. Claims 34-36 presented 6/30/98 have been renumbered to 27-29. Also, in response to amendment presented 6/30/98, renumbered claims 22-26 have been cancelled.

2. The following is an examiner's statement of reasons for allowance:

in claim 1, the combined technique of transmitting, from a first base station transmitter, radio signals digitally modulated with message information to a mobile station; while transmitting the radio signals from the first base station transmitter to the mobile station , beginning to transmit from a second base station transmitter to the mobile station radio signals digitally modulated with substantially the same message information; combining, in the mobile station, information transmitted by the first base station transmitter and information transmitted by the second base station transmitter to reconstruct the message information; and terminating the transmission from the first base station transmitter to the mobile station while continuing to transmit from the second base station transmitter radio signals digitally modulated with message information to the mobile station has not been found nor fairly suggested in the prior art;

in claim 4, the combined technique of transmitting, from a first base station transmitter for a first cell, radio signals digitally modulated with message information to a mobile station; while transmitting the radio signals from the first base station transmitter to the mobile station, beginning to transmit, from a second base station transmitter for a second cell to the mobile station, radio signals digitally modulated with substantially the same message information; combining, in the mobile station, information transmitted by the first base station transmitter and information transmitted by the second base station transmitter to reconstruct the message

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information; and terminating the transmission from the first base station transmitter to the mobile station while continuing to transmit from the second base station transmitter has not been found nor fairly suggested in the prior art;

in claim 7, the combined technique of transmitting, from a first base station transmitter to a mobile station, radio signals digitally modulated with message information to a mobile station; transmitting, from a second base station transmitter, radio signals digitally modulated with substantially the same message information to a mobile station; combining, in the mobile station, information transmitted by the first base station transmitter and information transmitted by the second base station transmitter to reconstruct the message information; and before terminating the transmission from the first or second base station transmitter of the digitally modulated radio signals to the mobile station, beginning to transmit from a third base station transmitter radio signals digitally modulated with substantially the same message information as the signals from the first and second base station transmitters has not been found nor fairly suggested in the prior art;

in claim 11, the combined technique of transmitting, from a first base station transmitter, for a first cell radio signals digitally modulated with message information to a mobile station; transmitting from a second base station transmitter radio signals digitally modulated with substantially the same message information to the mobile station; before terminating the transmission from the first or second base station transmitter to the mobile station, beginning to transmit from a third base station transmitter for a second cell radio signals digitally modulated with substantially the same message information as the signals from the first and second base station transmitters; and combining, in the mobile station, information transmitted by at least two

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of the first, second and third base station transmitters to reconstruct the message information has not been found nor fairly suggested in the prior art;

in claim 15, the combined technique of transmitting, from a first base station transmitter, radio signals digitally modulated with message information to a mobile station; transmitting, from a second base station transmitter, radio signals digitally modulated with substantially the same message information to the mobile station; before terminating the transmission from the first or second base station transmitter to the mobile station, beginning to transmit from a third base station transmitter radio signals digitally modulated with substantially the same message information as the signals from the first and second base station transmitters; combining, in the mobile station, information transmitted by at least two of the first, second and third base station transmitters to reconstruct the message information; and terminating the transmission from the first base station transmitter while continuing to transmit from the second and third base station transmitters radio signals digitally modulated with substantially the same message information to the mobile station has not been found nor fairly suggested in the prior art;

in claim 18, the combined technique of transmitting, from a first base station transmitter for a first cell, radio signals digitally modulated with message information to a mobile station; transmitting, from a second base station transmitter, radio signals digitally modulated with substantially the same message information to the mobile station; before terminating the transmission from the first or second base station transmitter to the mobile station, beginning to transmit from a third base station transmitter for a second cell radio signals digitally modulated with substantially the same message information as the signals from the first and second base

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station transmitters; combining, in the mobile station, information transmitted by at least two of the first, second and third base station transmitters to reconstruct the message information; and terminating the transmission from the first base station transmitter while continuing to transmit from the second and third base station transmitters radio signals digitally modulated with substantially the same message information to the mobile station has not been found nor fairly suggested in the prior art;

in claim 21, the combined technique of transmitting to a mobile station, from each of a first base station transmitter, a second base station transmitter and a third base station transmitter, radio signals digitally modulated with substantially the same message information; combining, in the mobile station, information transmitted by at least two of the first, second and third base station transmitters to reconstruct the message information; and terminating the transmission of the digitally modulated signals from the first base station transmitter to the mobile station while continuing to transmit from the second and third base station transmitters has not been found nor fairly suggested in the prior art;

in claim 27, the combined technique of transmitting, from a first base station transmitter, radio signals digitally modulated with message information to a mobile station; while transmitting the radio signals from the first base station transmitter to the mobile station, beginning to transmit from a second base station transmitter to the mobile station radio signals digitally modulated with substantially the same message information; receiving, at the mobile station radio signals from both the first and the second base station; performing, at the mobile station, a correlation between the received radio signals and a predetermined pattern; combining, in the mobile station

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information transmitted by the first base station transmitter and information transmitted by the second base station transmitter to reconstruct the message information; and terminating the transmission from the first base station transmitter to the mobile station while continuing to transmit from the second base station transmitter radio signals digitally modulated with message information to the mobile station has not been found nor fairly suggested in the prior art; and

in claim 28, the combined technique of transmitting, from a first base station transmitter, radio signals digitally modulated with message information to a mobile station; while transmitting the radio signals from the first base station transmitter to the mobile station, beginning to transmit from a second base station transmitter to the mobile station radio signals digitally modulated with substantially the same message information; combining, in the mobile station, information transmitted by the first base station transmitter and information transmitted by the second base station transmitter using information received from a strongest signal path as well as other signal paths received within a reception window to reconstruct the message information; and terminating the transmission from the first base station transmitter to the mobile station while continuing to transmit from the second base station transmitter radio signals digitally modulated with message information to the mobile station has not been found nor fairly suggested in the prior art.

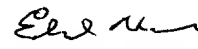
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Urban whose telephone number is (703)305-4385.

EFU

October 9, 1998

  
EDWARD F. URBAN  
PRIMARY EXAMINER